

Town of Creston

Bylaw No. 1960

A Bylaw to establish an Emergency Management Program within The Town of Creston.

WHEREAS The Town of Creston is required by the *Emergency Program Act*, to establish and maintain an Emergency management organization to develop and implement Emergency plans and other preparedness, response and recovery measures for emergencies and Disasters for the whole of the municipality;

AND WHEREAS The Town of Creston considers it necessary to provide a comprehensive Emergency Management Program to prepare for, respond to, and recovery from emergencies and Disasters;

AND WHEREAS Council has the authority to delegate some or all of its authority under the *Act* in writing, except the authority to declare a State of Local Emergency;

NOW THEREFORE, the Council of the Town of Creston, in open meeting assembled, enacts as follows:

PART 1 CITATION

1.1 This Bylaw may be cited as "Emergency Management Program Bylaw No. 1960, 2022".

PART 2 SEVERABILITY

2.1 If a portion of this Bylaw is held invalid by a Court of competent jurisdiction, then the invalid portion must be severed and the remainder of this Bylaw is deemed to have been adopted without the severed section, subsection, paragraph, subparagraph, clause, or phrase.

PART 3 DEFINITIONS

In this Bylaw, the following words shall have the following meanings:

"**Act**" means *the Emergency Program Act*, RSBC 1996, c.111, and any amendments and replacements thereto. Unless otherwise specifically stated, the words used in this Bylaw shall have the same meaning as the words have in the *Act*.

"**British Columbia Emergency Management System (BCEMS)**" means a framework for a standardized response to all emergencies and Disasters that has been adopted by the province of British Columbia.

"**Chief Administrative Officer**" means the person appointed by the Council as the Chief Administrative Officer pursuant to section 147 of the *Community Charter*, or Acting Chief Administrative Officer appointed or designated to act on his or her behalf.

"**Community Resiliency Centre**" means an office or facility for various agencies and groups offering guidance, advice and assistance to those affected by an Emergency or Disaster.

"**Council**" means the municipal Council elected for the Town of Creston.

"**Declaration of a State of Local Emergency**" means a declaration by Council or Mayor under Division 3 of the *Act*.

“Disaster” means a calamity that is caused by accident, fire, explosion, or technical failure, or by forces of nature and has resulted in serious harm to the health, safety or welfare of people or in widespread damage to property.

“Emergency” means a present or imminent event or circumstance that is caused by accident, fire, explosion, technical failure, or by the forces of nature, and requires prompt coordination of action or special regulation of persons or property to protect the health, safety or welfare of a person or to limit damage to property.

“Emergency Management Program” means an organized strategy and program consisting of an analysis of community hazards and vulnerabilities, risk Mitigation, preparedness, response, municipal business continuity, and recovery.

“Emergency Management Director” means the Director, Manager or Coordinator appointed by Council as the Coordinator identified in the *Act*, to manage the Town of Creston Emergency Management Program and the person that is appointed to act on his or her behalf from time to time.

“Emergency Operations Centre” means a facility identified by the Emergency Management Organization that is provided with appropriate equipment and resources to gain situational awareness, provide strategic direction to response and/or recovery efforts, to liaise and communicate with other levels of government and develop public messaging prior to and/or during emergencies and Disasters.

“Emergency Operations Centre Director” means the person that manages the staff and overall operations in the Emergency Operations Centre.

“Incident Command System” means a system for managing emergencies that the province of British Columbia recommends for adoption by local authorities.

“Mitigation” means activities taken to eliminate or reduce the degree of risk to life and property from hazards prior to a disaster or Emergency.

“Recovery Manager” means that person appointed by Council to manage short, medium or long-term recovery efforts.

“Recovery Operations Centre” means the facility that is established to provide continuity in the support and coordination of recovery activities as efforts transition from response and early recovery to medium to longer term recovery efforts.

“Town” means the Corporation of the Town of Creston.

PART 4 EMERGENCY MANAGEMENT ORGANIZATION

4.1 In accordance with the provisions of the *Act*, the Creston Emergency Management Organization is comprised of:

- (a) Creston Town Council – Executive Emergency Management Committee;
- (b) The Emergency Management Planning Committee; and,
- (c) The Emergency Management Director, Manager or Coordinator.

PART 5 TOWN OF CRESTON COUNCIL – EXECUTIVE EMERGENCY MANAGEMENT COMMITTEE

- 5.1. Council, as the local authority, delegates its powers and duties under the *Act*, outside of those listed below, to the Emergency Management Director. Council will form the Executive Emergency Management Committee and be responsible for the following:
- (a) to declare a State of Local Emergency, as well as rescinding the declaration once the need for the declaration has passed;
 - (b) authorize the use of Emergency powers available under the *Act*, as required, and to monitor use of such powers;
 - (c) establish any Emergency policy and/or bylaw necessary to facilitate the response to an Emergency or Disaster; and,
 - (d) require an Emergency Management Program and plans to be prepared for the Town respecting preparation for, response to and recovery from an Emergency or Disaster.
- 5.2. Notwithstanding the provisions of subsection 5, the Mayor may carry out the responsibilities specified in clauses 5 (a) where, because of the circumstances of an Emergency or Disaster, it is not possible to assemble a quorum of Council, and provided the Mayor has used best efforts to obtain the consent of other members of Council to the Declaration of a State of Local Emergency and, as soon as practicable after making the declaration convenes a meeting of Council to assist in supporting the response to the Emergency or Disaster.
- 5.3 Council appoints and authorizes an Emergency Management Director to lead the Emergency Management Program and to be the Town's authorized representative regarding matters related to the Emergency Management Program and authorizes the Town Manager to oversee the Program.

PART 6 EMERGENCY MANAGEMENT PLANNING COMMITTEE

- 6.1 The Emergency Management Planning Committee is established under this Bylaw and is accountable to Council.
- 6.2 The Emergency Management Planning Committee shall meet quarterly and be comprised of:
- (a) Emergency Management Director – Chair;
 - (b) Chief Administrative Officer;
 - (c) Council Representative;
 - (d) Fire Chief or designate;
 - (e) RCMP Staff Sergeant or designate;
 - (f) Director of Infrastructure Services;
 - (g) Corporate Officer;
 - (h) Communication Coordinator;
 - (i) Manger of Engineering; and
 - (j) Manager of Community Planning & Development.

- 6.3 The Emergency Management Planning Committee may also include others as determined by the Committee on a temporary or permanent basis, as well as strike sub-committees and work groups as it deems necessary.
- 6.4. The Emergency Management Planning Committee may develop terms of reference, policies and procedures as deemed necessary by the Committee.
- 6.5 The Emergency Management Planning Committee shall annually prepare and present to Council for review and approval:
- (a) a list of risks to which the Town is subject, which indicate the relative risk of occurrence;
 - (b) plans respecting the preparation for, response to and recovery from Emergencies and Disasters including:
 - i. a periodic review and updating of plans and procedures;
 - ii. identified Mitigation strategies related to the list of risks;
 - iii. a program of Emergency response exercises;
 - iv. a training program;
 - v. procedures by which physical and financial Emergency resources or assistance may be obtained;
 - vi. procedures by which Emergency plans shall be implemented;
 - vii. procedures to warn those persons that may be harmed or suffer loss in an Emergency or impending Disaster;
 - viii. procedures to coordinate the delivery of food, clothing, shelter, transportation, and medical services to victims of Emergencies and Disasters, from within or outside the Town; and
 - ix. procedures to establish the priorities to restore essential services provided by the Town, or to recommend priorities to other service providers, which are interrupted during an Emergency or Disaster.

PART 7 EMERGENCY MANAGEMENT DIRECTOR

- 7.1 The Emergency Management Director reports to the Chief Administrative Officer.
- 7.2. The Emergency Management Director is responsible for:
- (a) providing leadership and administration for the daily Emergency Management Program;
 - (b) coordinating and/or supervising any sub-committees or work groups;
 - (c) developing a strategic plan, action plans and budget;
 - (d) providing an annual status report to the Emergency Management Planning Committee and Council on the Emergency Management Program;
 - (e) coordinating public awareness regarding risks, Mitigation and Emergency preparedness;
 - (f) providing Town staff with Emergency management training and/or awareness related to preparing for, responding to and recovering from an Emergency or Disaster;

- (g) establishing and maintaining the Town of Creston Emergency Operations Centre and all required equipment;
- (h) coordinating Emergency Operations Centre staff training and maintaining a staffing and support plan for the Emergency Operations Centre;
- (i) developing an exercise program;
- (j) liaising with other governments, non-government agencies, First Nations, and the private sector;
- (k) acting as an Emergency Operations Centre Director during an Emergency or Disaster;
- (l) establishing, coordinating and supporting volunteer programs initiating short-term recovery plans as required for an Emergency or Disaster, including providing recommendations to Council regarding establishing a Community Resiliency Centre and/or appointing a Recovery Manager; and,
- (m) initiating government Disaster financial assistance to recover municipal funds expended during the response and/or recovery to the Emergency or Disaster.

7.4 Subject to the approval of Council, the Emergency Management Director may enter into agreements with other regional districts or municipalities for the purpose of Emergency assistance or the formation of coordinated Emergency preparedness, response and recovery.

PART 8 IMPLEMENTATION OF EMERGENCY MANAGEMENT PLANS

- 8.1 An Emergency Operations Centre for the Town will be established and maintained for the purposes of coordinating Emergency operations, supporting response, liaising with other agencies, public messaging, recovery efforts, and other functions as needed.
- 8.2 The Town of Creston Emergency Management Program will use the “British Columbia Emergency Management System” (BCEMS).
- 8.3 Implementation of the Town’s Emergency Management Plans, including activating the Emergency Operations Centre, may be initiated by the Chief Administrative Officer, Director of Emergency Management or the Fire Chief if, in their opinion, an Emergency exists or appears imminent or a Disaster has occurred or threatens the Town.
- 8.4 Council delegates its responsibilities under the *Emergency Program Act* to the Emergency Operations Centre Director, except the authority to declare a State of Local Emergency when the Town’s Emergency Operations Centre has been activated and for the duration of the activation.
- 8.5 The Emergency Operations Centre Director, or designate, may act as the liaison between the province and/or provincial representatives and the Town of Creston for the coordination and implementation of necessary plans in the event of Emergency or Disaster.
- 8.6 During an Emergency or Disaster when time is of the essence, the Emergency Management Centre Director may enter into agreements with individuals, bodies, corporations or other non-government agencies for the provision of goods or services to the Town.

- 8.7 All departments and agencies involved in Emergency operations or recovery shall, at the discretion of the Emergency Operations Centre Director, assign an appropriate representative to the Emergency Operations Centre.
- 8.8 During an Emergency or Disaster, the Chief Administrative Officer, the Emergency Operations Centre Director or the Chief Financial Officer is authorized to expend funds which are not included in the Town's financial plan which are required for the preservation of life, health and the protection of property.
- 8.9 During an Emergency or Disaster, the Authorization Limits as established in the Town's General Procurement Policy FIN-003-005, as amended from time to time, for the Department Head (Emergency Operations Centre Director) and Town Manager/CAO & CFO categories shall be doubled.
- 8.10 During or following an Emergency or Disaster that causes significant damage to the community, Council may establish a Recovery Operations Centre, or a Community Resiliency Centre and/or appoint a Recovery Manager. Council will establish responsibilities and spending authority upon appointment.

PART 9 LIABILITY

- 9.1 No person, including, without limitation, Council, the Mayor, members of the Creston Emergency Management Organization, Town employees, a volunteer, and any other persons appointed, authorized or requested to carry out measures relating to Emergencies or Disasters, is liable for any loss, cost, expense, damages, or injury to persons or property that result from:
- (a) the person in good faith doing or omitting to do any act that the person is appointed, authorized or required to do under the *Act* or this Bylaw, unless, in doing or omitting to do the act, the person was grossly negligent; or
 - (b) any acts done or omitted to be done by one or more of the persons who were, under the *Act* or this Bylaw, appointed, authorized or required by the persons to do the acts, unless in appointing, authorizing or requiring those persons to do the acts, the person was not acting in good faith.

PART 10 EFFECTIVE DATE

10.1 This Bylaw shall come into full force and effect upon adoption.

READ A FIRST TIME by title and SECOND TIME by content this 9th day of August, 2022.

READ A THIRD TIME by title this 9th day of August, 2022.

ADOPTED this 23rd day of August, 2022.

"Ron Toyota"
Mayor Ron Toyota

"Kirsten Dunbar"
Kirsten Dunbar, Corporate Officer